

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

BOSTON SCIENTIFIC CORPORATION;  
BOSTON SCIENTIFIC SCIMED, INC.;  
BOSTON SCIENTIFIC LIMITED; AND  
ENDOVASCULAR TECHNOLOGIES, INC.

Plaintiffs,

v.

COOK, INC.; WILSON-COOK MEDICAL,  
INC.; COOK MEDICAL INC.; COOK  
IRELAND LTD.; COOK GROUP, INC.;  
TAEWOONG MEDICAL CO., LTD.;  
STANDARD SCI-TECH INC.; ENDOCHOICE,  
INC.; AND SEWOON MEDICAL CO., LTD.

Defendants.

CIVIL ACTION NO. 10-11646

**PLAINTIFFS' ANSWER TO COUNTERCLAIMS  
OF DEFENDANTS STANDARD SCI-TECH, INC.,  
ENDOCHOICE, INC., AND SEWOON MEDICAL CO. LTD.**

Boston Scientific Corporation (“BSC”); Boston Scientific Scimed, Inc. (“BSSI”); Boston Scientific Limited (“BSL”); and EndoVascular Technologies, Inc. (“EVT”) (collectively, “Plaintiffs”) hereby respond to the counterclaims filed by Defendants Standard Sci-Tech, Inc., EndoChoice, Inc., and Sewoon Medical Co., Ltd. (collectively, “the Standard Sci-Tech Defendants”) on January 7, 2011, as follows:

**THE PARTIES**

1. Plaintiffs admit that Standard Sci-Tech Inc. is a corporation organized under the laws of the Republic of Korea, with a principal place of business at Suite 202, 236-7 YongDu-Dong, DongDaeMun-Gu, Seoul, South Korea 130-170. Plaintiffs are without sufficient

knowledge or information to admit or deny the remaining allegations in Paragraph 1 of the Standard Sci-Tech Defendants' counterclaims and, therefore, deny them.

2. Plaintiffs admit the allegations in Paragraph 2 of the Standard Sci-Tech Defendants' counterclaims.

3. Plaintiffs admit the allegations in Paragraph 3 of the Standard Sci-Tech Defendants' counterclaims.

4. Plaintiffs admit the allegations in Paragraph 4 of the Standard Sci-Tech Defendants' counterclaims.

5. Plaintiffs admit the allegations in Paragraph 5 of the Standard Sci-Tech Defendants' counterclaims.

6. Plaintiffs admit the allegations in Paragraph 6 of the Standard Sci-Tech Defendants' counterclaims.

7. Plaintiffs admit the allegations in Paragraph 7 of the Standard Sci-Tech Defendants' counterclaims.

#### **JURISDICTION AND VENUE**

8. Plaintiffs admit the allegations in Paragraph 8 of the Standard Sci-Tech Defendants' counterclaims.

9. Plaintiffs admit the allegations in Paragraph 9 of the Standard Sci-Tech Defendants' counterclaims.

10. Plaintiffs admit the allegations in Paragraph 10 of the Standard Sci-Tech Defendants' counterclaims.

11. Plaintiffs admit the allegations in Paragraph 11 of the Standard Sci-Tech Defendants' counterclaims.

12. Plaintiffs admit the allegations in Paragraph 12 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT I**  
**(Declaratory Judgment**  
**of Noninfringement of U.S. Patent No. 6,007,574)**

13. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 13 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 12 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

14. Plaintiffs deny the allegations in Paragraph 14 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT II**  
**(Declaratory Judgment**  
**of Noninfringement of U.S. Patent No. 6,309,415)**

15. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 15 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 14 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

16. Plaintiffs deny the allegations in Paragraph 16 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT III**  
**(Declaratory Judgment**  
**of Noninfringement of U.S. Patent No. 7,160,323)**

17. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 17 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 16 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

18. Plaintiffs deny the allegations in Paragraph 18 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT IV**  
**(Declaratory Judgment**  
**of Noninfringement of U.S. Patent No. 7,419,502)**

19. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 19 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 18 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

20. Plaintiffs deny the allegations in Paragraph 20 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT V**  
**(Declaratory Judgment**  
**of Noninfringement of U.S. Patent No. 7,419,503)**

21. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 21 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 20 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

22. Plaintiffs deny the allegations in Paragraph 22 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT VI**  
**(Declaratory Judgment**  
**of Noninfringement of U.S. Patent No. 7,736,386)**

23. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 23 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat

and incorporate by reference their answers to Paragraphs 1 - 22 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

24. Plaintiffs deny the allegations in Paragraph 24 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT VII**  
**(Declaratory Judgment**  
**of Noninfringement of U.S. Patent No. 7,763,068)**

25. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 25 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 24 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

26. Plaintiffs deny the allegations in Paragraph 26 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT VIII**  
**(Declaratory Judgment**  
**of Noninfringement of U.S. Patent No. 6,533,810)**

27. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 27 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 26 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

28. Plaintiffs deny the allegations in Paragraph 28 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT IX**  
**(Declaratory Judgment**  
**of Noninfringement of U.S. Patent No. 6,818,015)**

29. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 29 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 28 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

30. Plaintiffs deny the allegations in Paragraph 30 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT X**  
**(Declaratory Judgment**  
**of Invalidity of U.S. Patent No. 6,007,574)**

31. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 31 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 30 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

32. Plaintiffs deny the allegations in Paragraph 32 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT XI**  
**(Declaratory Judgment**  
**of Invalidity of U.S. Patent No. 6,309,415)**

33. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 33 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 32 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

34. Plaintiffs deny the allegations in Paragraph 34 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT XII**  
**(Declaratory Judgment**  
**of Invalidity of U.S. Patent No. 7,160,323)**

35. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 35 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 34 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

36. Plaintiffs deny the allegations in Paragraph 36 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT XIII**  
**(Declaratory Judgment**  
**of Invalidity of U.S. Patent No. 7,419,502)**

37. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 37 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 36 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

38. Plaintiffs deny the allegations in Paragraph 38 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT XIV**  
**(Declaratory Judgment**  
**of Invalidity of U.S. Patent No. 7,419,503)**

39. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 39 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat

and incorporate by reference their answers to Paragraphs 1 - 38 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

40. Plaintiffs deny the allegations in Paragraph 40 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT XV**  
**(Declaratory Judgment**  
**of Invalidity of U.S. Patent No. 7,736,386)**

41. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 41 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 40 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

42. Plaintiffs deny the allegations in Paragraph 42 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT XVI**  
**(Declaratory Judgment**  
**of Invalidity of U.S. Patent No. 7,763,068)**

43. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 43 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 42 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

44. Plaintiffs deny the allegations in Paragraph 44 of the Standard Sci-Tech Defendants' counterclaims.



**COUNT XVII**  
**(Declaratory Judgment**  
**of Invalidity of U.S. Patent No. 6,533,810)**

45. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 45 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 44 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

46. Plaintiffs deny the allegations in Paragraph 46 of the Standard Sci-Tech Defendants' counterclaims.

**COUNT XVIII**  
**(Declaratory Judgment**  
**of Invalidity of U.S. Patent No. 6,818,015)**

47. To the extent it constitutes an allegation, Plaintiffs deny the heading allegation preceding paragraph 47 of the Standard Sci-Tech Defendants' counterclaims. Plaintiffs repeat and incorporate by reference their answers to Paragraphs 1 - 46 of the Standard Sci-Tech Defendants' counterclaims, as if fully set forth herein.

48. Plaintiffs deny the allegations in Paragraph 48 of the Standard Sci-Tech Defendants' counterclaims.

**JURY DEMAND**

Plaintiffs admit that the Standard Sci-Tech Defendants demand a trial by jury.

**PRAYER FOR RELIEF**

Plaintiffs deny that the Standard Sci-Tech Defendants are entitled to any of the relief requested.

DATED: January 28, 2011

Respectfully submitted,

/s/ Denise W. DeFranco

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**CERTIFICATE OF SERVICE**

I, Denise W. DeFranco, an attorney of record in this matter, certify that on January 28, 2011, I caused a copy of the foregoing document:

PLAINTIFFS' ANSWER TO COUNTERCLAIMS  
OF DEFENDANTS STANDARD SCI-TECH, INC.,  
ENDOCHOICE, INC., AND SEWOON MEDICAL CO. LTD

to be filed by electronic filing (ECF), which provides service to counsel of record by email.

/s/ Denise W. DeFranco  
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